

Remarks

I. Introduction

This response is submitted in reply to the outstanding Office Action mailed June 23, 2009.

Claims 1-8 and 10-16 were rejected under 35 U.S.C. § 102(b) as being anticipated U.S. Patent No. 6,289,216 (“Koh”).

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Koh in view of U.S. Patent No. 7,127,220 (“Abrams”).

The Office Action indicates that only “some” of the certified copies of the priority documents have been received.

Applicants respectfully traverse the rejections. In light of the remarks and amendments presented below, applicants respectfully request reconsideration and allowance of all the pending claims, namely claims 1-16.

II. Applicants’ Reply to the 35 U.S.C. § 102(b) Rejections of the Independent Claims

Independent claims 1, 10 and 14 are currently pending and were rejected under 35 U.S.C. § 102(b) as being anticipated by Koh. Applicants respectfully submit that Koh fails to show all of the recitations of independent claims 1, 10 and 14.

Koh is generally directed to “measuring VSWR without employing any other device for testing a radio unit of a base station in a mobile communication system.” Koh, col. 2, lines 27-29. To conduct testing in Koh, a test signal is generated by “a test terminal included in the base station” Koh, col. 2, lines 40-41. The base station controller, i.e., “BCP 300 ... performs the operation of measuring the VSWR” Koh, col. 5, lines 3-5.

A. Applicants’ Reply to the rejections of independent claims 1 and 14

Independent claims 1 and 14 are directed to a system and method that monitor the status of a number of base stations. Claim 1 recites “a base station information database for storing identifiers of base stations to be monitored, and status information of the base stations” In addition, claim 1 recites, “a base station monitor for using the first and second measurement values to calculate factors of the base stations” Again, claim 1 recites the phrase “base stations,” which is plural. Lastly, claim 1 recites, a measured result modifier for using status

information of the base station information database corresponding to the base station identifier and modifying the calculated factors.” Accordingly, claim 1 and counterpart method claim 14 include recitations that involve monitoring a plurality of base stations, using base station identifiers and status information.

Koh, on the other hand, only discusses using a test terminal, integrated in each base station, to monitor a single base station. Accordingly, Koh fails to suggest at least the following claim 1 recitations: (1) “base station identifiers;” (2) “status information of the base stations;” (3) “a base station monitor for using first and second measurement values to calculate factors of the base stations” after the measurement values are received by “a radio communication module;” and (4) “a measured result modifier for using status information of the base station information database.” Claim 14 includes similar recitations. Indeed, the use of base station identifiers and the association of information with the base station identifiers as in claims 1 and 14 seems nonsensical or at least unnecessary in regards to a system such as Koh that monitors only a single base station.

Koh also explicitly states that it is directed to “measuring a voltage standing wave ration (VSWR) *without another test device*” Koh, abstract. As such, Koh is not only directed to completely different type of system and method than what is recited by applicants’ independent claims 1 and 14, but Koh also teaches away from applicants’ claimed system and method. Likewise, the background of applicants’ specification specifically distinguishes itself from systems like Koh, by pointing out some of the problems associated with systems like Koh. For example, “a large amount of cost is generated for installing a VSWR measurer in each base station, integrated management in consideration of the characteristics of the base station is difficult, and it is impossible to determine the antenna’s status in real-time.” Applicants’ specification, para. [15].

B. Applicants’ Reply to the rejections of independent claim 10

Independent claim 10, as amended, recites, among other things: “a radio data module for transmitting in a radio data format to a remote device: [1] a base station identifier that corresponds with the antenna system, [2] the first measurement value, and [3] the second measurement value”

While applicants submit that Koh fails to show even the unamended version of the claims (e.g., a radio data module that transmits [2] and [3]), applicants have amended independent claim 10 to include [1] to expedite allowance of this claim, at least for the reasons discussed above. In this regard, independent claim 10 has been amended to recite that the radio data module transmits a base station identifier to a remote device. As described above, the test terminal of Koh monitors only a single station such that there is no need and, therefore, no teaching or suggestion that a base station identifier be transmitted, let alone to a remote device.

For example, Koh explicitly states that it is directed to “measuring a voltage standing wave ratio (VSWR) *without another test device*” Koh, abstract (emphasis added). As such, Koh teaches away from applicants’ system of claim 10, which comprises “a radio data module for *transmitting* in a radio data format *to a remote device*” (emphasis added). The claim amendments are supported by applicants’ originally filed specification at, e.g., paragraph [32].

C. Summary of Reply to Rejections of Independent Claims 1, 10 and 14

For at least these reasons, Koh fails to anticipate independent claims 1, 10 and 14. Thus the rejections of independent claims 1, 10 and 14 should be withdrawn.

III. Reply to Rejections of Dependent Claims 2-8, 11-13 and 15-16

For at least the foregoing reasons, independent claims 1, 10 and 14 are allowable over Koh and, since claims 2-8, 11-13 and 15-16 depend from and necessarily include all of the recitations of one of independent claims 1, 10 and 14, the cited documents, whether taken alone or in combination, do not teach or suggest the system and methods of claims 2-8, 11-13 and 15-16 for at least the same reasons as described above in conjunction with the respective independent claims.

IV. The USPTO has Received All Certified Copies of Priority Documents

In response to our voicemail messages, Examiner Daglawi called on July 22, 2009 and confirmed, despite the Office Action indicating only “some” of the priority documents had been received, that certified copies of all the priority documents have been received by the USPTO.

During the telephone conversation with the under-signed attorney’s assistant, Examiner Daglawi indicated that he had “marked the wrong box” on the Office Action and assured her that

he had all the documents required, including a certified copy of the priority document in this matter.

V. Conclusion

In view of the remarks presented above, applicants submit that the present application is in condition for allowance. As such, the issuance of a Notice of Allowance is therefore respectfully requested. In order to expedite the examination of the present application, the Examiner is encouraged to contact applicants' undersigned attorney in order to resolve any remaining issues.

It is believed that no additional petitions or fees are required other than those provided for in the related papers being filed herewith. The papers accompanying this Reply authorize the payment of the necessary fees. However, in the event that any extension of time and/or other fees are necessary to allow consideration of this Reply, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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